

1903-004
Lee Co.

Chancery Causes: Ira Fisher vs. Shadrach Fisher

CA - Contract Dispute
T - Property

-Deed

To the Hon. H. A. W. Skeen, Judge of the Circuit Court of Lee County, Virginia:

Humbly complaining your orator, Ira Fisher, a citizen of said County, would respectfully represent and shew unto your honor that on the 13th day of March/ 1903, he and his wife, Elizabeth, executed and delivered to their son, Shadrach Fisher a deed conveying and to him a certain tract or parcel of land lying and being in the said County and State on the North-east prong of Black-water Creek containing thirty acres, more or less, and which tract of land is fully described in said deed, upon the consideration stated in said deed of the sum of \$100.00, in hand paid/ and also that the said Shadrack Fisher was to maintain the said Ira Fisher and Elizabeth Fisher, his wife during their natural lives on said land, and the said Ira Fisher, your orator, and the said Elizabeth Fisher to have a home on said land their life time, all of which is fully set forth in the said deed of conveyance, a copy of which is herewith filed as a part hereof, marked "deed", and the land was taken into possession by the said Shadrack Fisher, and is still in his possession.

Now, your orator will further represent and shew unto your honor, that the said Shadrack Fisher has failed and refused, and doth still fail and refuse to support and maintain your orator on said land and premises and furnish him a home on the said land as he was bound to do by the provisions of the said deed, and your respondent, notwithstanding his age, which is now _____ years, and his inability on account of his age and other infirmities and his poverty ~~is unable~~ to support and maintain himself or to furnish him self a home other than on the said land, ~~and he~~ has been compelled to seek shelter and support with his son in law, one John Sibert where he now resides.

The object of this suit, therefore is, to compell the said Shadrack Fisher to comply with the terms and requirements of the said deed, and perform the consideration mentioned in said deed, and support and maintain your orator and furnish him a home on the said land and premises, which will require at least \$50.00 per annum,

all of which he has failed to ~~do~~. And upon his ~~failure~~ to do so to have the said deed of conveyance set a side and annulled so far as your orator is concerned, and the said land decreed to your orator. To this end he makes the said Shadrack Fisher a party defendant to this bill, and asks that he be required to answer the same, but not on oath, answer under oath being expressly waived, and on a hearing that the relief above prayed for be granted, and all such other further and general relief be granted as may be consistent with equity and the case may require. And your orator will ever pray &c.

Orator Noel. p. 25.

Ira Fisher
vs Bill in Chy.
Shadrack Fisher.

THIS DEED made this March the 13th 1903, by and between Ira Fisher and Elizabeth Fisher his wife of the one and first part and Shadrack Fisher of the second part, all of the County of Lee and State of Virginia; Witnesseth, that for and in consideration of the sum of One hundred dollars in hand paid the receipt is hereby acknowledged and also that the said Shadrack Fisher is to maintain the said Ira Fisher Fisher and Elizabeth Fisher his wife during their natural life on said land, the said Ira Fisher and Elizabeth Fisher is to have a home on said land their life time, we the said Ira Fisher and Elizabeth Fisher his wife, do by these presents bargain, sell and convey to the said Shadrack Fisher for the consideration above named all of a certain tract or parcel of land lying and being in the County of Lee and State of Va. and on the North east prong of Blackwater creek, containing 30 acres be the same more or less bounded as follows to-wit: Beginning on a rock made between C. F. McPherson and Elizabeth Fisher west with the Creek to a conditional line made by C. F. McPherson and Elizabeth Fisher thence North with said line to a rock corner made by Ira Fisher and A. J. Munsey thence west with a conditional line made by C. F. McPherson and Elizabeth Fisher to A. J. Osborne line North with said line to the Robert's line, thence Northeast with said line to the top of the ridge and with the meanderings of the top of the ridge to a beech near the Creek thence west with the creek to the Beginning. The said Ira Fisher and Elizabeth Fisher his wife warrant and defend unto Shadrack Fisher and his heirs forever the title to said land.

Witness the following signature and seals, day and date above written.

Ira Fisher (Sealed)
her
Elizabeth X Fisher (Sealed
mark

Virginia, Lee County, to-wit:

I, J. W. McPherson an acting Justice of said County do certify that Ira Fisher and Elizabeth Fisher his wife personally appeared before me in said County on the 14 of March 1903 and acknowledged the above writing to be their act and deed and that they had will-

ingly executed the same and do not wish to retract it.

Given under my hand this March 14, 1903.

J. W. McPherson, J. P.

Virginia, Lee County, to-wit:

In the Office of the Clerk of the County Court for said County, the 23rd day of May, 1903. This deed was presented, and together with the certificate of acknowledgment thereto annexed, admitted to record.

Teste: B. M. Morgan, Clerk.

A Copy-Teste: W. T. Ewing Clerk.

Copied from Deed Book No. 40, page 291.

Ira Fisher + wife

To. Deed

Shadrack Fisher

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clerk 45¢.